IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1065 OF 2006
IN
CRIMINAL APPEAL NO.979 OF 2006

Shankar Dadu Mulik ...Petitioner

Vs.

The State of Maharashtra ...Respondent

Shri Santosh Chari for the Petitioner.

Shri D.P.Adsule, A.P.P for the Respondent.

CORAM : A. S. OKA, J.
DATE : NOVEMBER 10, 2006.

P.C.:

1. Heard the Advocate for the Applicant and the learned A.P.P for the State. The conviction of the Applicant is for offence punishable under section 376 of the Indian Penal Code. The substantive sentence is of rigorous imprisonment for seven years. The Applicant has been ordered to pay fine of Rs.2,000/-. Fine amount has been already paid.

2. I have perused the impugned Judgment and notes of evidence. Considering various statements made by the prosecutrix in the cross-examination and in particular in paragraph Nos.16 and 17 and considering the fact that the Applicant was on bail throughout the trial, a case is made out for grant of bail. There is

no allegation made by the prosecution as regards misuse of liberty granted to the Applicant during the pendency of the trial.

3. Hence, Application is disposed of by passing following order:

(i) The Applicant shall be enlarged on the same bail on which he was enlarged during the pendency of trial subject to filing fresh bail bonds.

(ii) Bail is granted subject to condition that the Applicant will report to Nirmal Nagar Police Station, Mumbai once in every calendar month till the disposal of the Appeal.

JUDGE